

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NWDC RESISTANCE, et al.,

Plaintiffs,

v.

IMMIGRATION & CUSTOMS
ENFORCEMENT, et al.,

Defendants.

CASE NO. C18-5860JLR

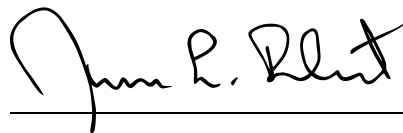
ORDER

Before the court is the parties' response to the court's March 18, 2022 order to show cause. (OSC Resp. (Dkt. #84); OSC (Dkt. # 83).) The court ordered the parties to show cause why it should not lift the stay in this action where more than 30 days had passed since the parties had last agreed to extend their stipulated stay. (OSC at 1-2; *see also* 4/8/21 Order (Dkt. # 75) (granting Defendants' original motion to stay); 10/26/21 Order (Dkt. # 77) (granting the parties' stipulated motion to stay); 1/25/22 Order (Dkt. # 81) (granting the parties' stipulated motion to extend the stay).)

1 The parties disagree about whether the court should maintain the stay. (*See*
 2 *generally* OSC Resp.) Plaintiffs ask the court to lift the stay because the parties' efforts
 3 to resolve this matter while the case was stayed have failed. (OSC Resp. at 1-3.) They
 4 request a March 2023 bench trial and new pretrial deadlines set in accordance with that
 5 date. (*Id.*) Defendants, however, assert that Plaintiffs' claims were mooted by the
 6 adoption of new Guidelines for the Enforcement of Civil Immigration Law which, they
 7 argue, "expressly prohibit the alleged conduct that forms the basis of Plaintiffs'
 8 complaint." (*Id.* at 3.¹) They state that they intend to file a motion to dismiss and to stay
 9 discovery within 60 days and ask the court to maintain the stay until it issues its decision
 10 on those motions. (*Id.*)

11 Based on the parties' filings and a review of the record, the court concludes that it
 12 is appropriate to lift the stay in this matter and set a new trial date and pretrial deadlines.
 13 This case has been lingering on the court's docket for nearly three and a half years (*see*
 14 Compl. (Dkt. # 1)) and lifting the stay will not prevent Defendants from filing their
 15 planned motion to dismiss. Accordingly, the court LIFTS the stay; SETS the bench trial
 16 in this matter on April 23, 2023; and DIRECTS the Clerk to reset all unexpired pretrial
 17 deadlines based on this new trial date.

18 Dated this 21st day of March, 2022.

19 
 20 _____
 21 JAMES L. ROBART
 United States District Judge

22 _____
¹ Plaintiffs disagree that the new guidelines mooted their complaint. (*Id.* at 2-3.)